

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Chong's Produce, Inc.,

No. C 09-01013 JW

Plaintiff,

**ORDER VACATING PRELIMINARY  
PRETRIAL CONFERENCE; MODIFYING  
SCHEDULING ORDER**

v.

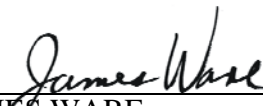
Premium Fresh Farms, LLC, et al.,

Defendant.

This case was scheduled for a Preliminary Pretrial Conference on July 6, 2009. The parties conferred and duly submitted a Joint Preliminary Pretrial Conference Statement. Based on their joint submission, the Court finds that this case is not yet ready for a trial schedule. Accordingly, the Court VACATES the conference and ORDERS as follows:

- (1) A hearing on the parties' anticipated cross-motions for summary judgment will be held on **October 19, 2009 at 9 a.m.** The parties shall notice their motions and file their briefs in accordance with the Civil Local Rules of the Court.
- (2) The Court will set a new Preliminary Pretrial Conference date in its Order addressing the parties' anticipated cross-motions for summary judgment.

Dated: July 1, 2009

  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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4 Emmitt Pfozt  
5 9 Santa Lucia Avenue  
6 Salinas, Ca 93908

7 **Dated: July 1, 2009**

**Richard W. Wieking, Clerk**

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9 **By: /s/ JW Chambers**  
10 **Elizabeth Garcia**  
11 **Courtroom Deputy**

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**United States District Court**  
For the Northern District of California